



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,260	07/18/2007	Laurent Degauque	1032326-000403	9083
21839 7590 11/19/2007 BUCHANAN, INGERSOLL & ROONEY PC POST OFFICE BOX 1404 ALEXANDRIA, VA 22313-1404			EXAMINER LABAZE, EDWYN	
			ART UNIT 2876	PAPER NUMBER
			NOTIFICATION DATE 11/19/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com  
debra.hawkins@bipc.com

## Office Action Summary

Application No.

10/583,260

Applicant(s)

DEGAUQUE ET AL.

Examiner

EDWYN LABAZE

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 34-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/9/2006</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Receipt is acknowledged of IDS filed on 8/9/2006.
2. Receipt is acknowledged of preliminary amendments 7/18/2007, cancelling claims 1-33.
3. Claims 34-46 are presented for examination.
4. This application is a 371 of PCT/EP04/53548 filed on 12/16/2004.

### ***Priority***

5. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Objections***

6. Claim 36, 39, and 42 are objected to because of the following informalities:

Re claim 36: There is no antecedent basis for the limitation "the latter". The applicant is respectfully requested to substitute "the latter" with "a latter".

Re claim 39: Substitute "the chip" with "a chip".

Re claim 42: The limitation "capable of" has been held to perform a function that is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. *In re Hutchison*, 69 USPQ 138.

7. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 34-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Yap et al. (U.S. 6,978,933).

Re claims 34 and 40: Yap et al. discloses card for service access, which includes a control step {through the manager 301} of a state of availability of at least one resource on one of the interfaces and a step of selection of the resource(s) (col.11, lines 59-67; col.12, lines 1-50; col.28, lines 5-15), wherein the process comprises an interrupt signal is generated to the processor block on a variation in availability of the resource(s), and the processor processes the interrupt signal in order to allow selection of the resources (col.19, lines 1-5; col.20, lines 58-67; col.28, lines 17-35).

Re claim 35: Yap et al. teaches a system, wherein an interrupt signal is generated by resource controller {herein micro-controller 44} according to transition of statuses of available of least one resource (col.19, lines 1-63; col.20, lines 56-67).

Re claim 36: Yap et al. discloses a system, transition from a state of low power supply via the contact interface to a state of power supply via the contactless interface {herein remote/Infrared connection through transceiver 4308, as shown in fig.# 42}, the voltage available via a latter interface being greater than a threshold voltage; transition from a state of supply via the contactless interface to a status of cessation of this supply, the voltage received by the contactless interface being lower than a threshold voltage; transition from a state of supply via

the contactless interface {herein remote/Infrared connection} to a state of supply via the contact interface {as shown in figs.# 6a & 6b); transition or reset sequence commanded by the contact interface, with supply via the contact interface (col.20, lines 56-67; col.28, lines 37-67).

Re claims 37-38 and 44-45: Yap et al. teaches a system, wherein the process comprises at least one step of immediate warning {herein using a watchdog} for fully simultaneous management of power and/or clock resources, wherein the immediate warning step makes provision for a diversion phase of the resources in order for the latter to be tapped at least in part via the contactless interface (col.18, lines 25-34).

Re claims 39 and 46: Yap et al. discloses a system and method, wherein the process makes provision for at least one logical phase forming a sleep controller so that a chip complies with constraint of lower consumption during sleep states (col.20, lines 30-54; and col.29, lines 28-40).

Re claim 41: Yap et al. teaches a system, comprising means of immunity including a diode for limitation of power consumption from the contactless interface, a logical gate guaranteeing switching between two modes of power supply via the contact or via the contactless interface (col.18, lines 65-67; col.19, lines 29-33; and col.20, lines 10-12).

Re claim 42: Yap et al. discloses a system, wherein the means of immunity comprise: at least one wired mechanism capable of detecting the presence of a power supply resource derived from the contact interface {through the reader 1} and derived from the contactless interface {herein Infrared/remote connection; see fig.# 6a}; this mechanism possessing at least two registers with the assistance of which the means of immunity indicate the status of the supply resources; so that any modification in these registers results in an alert signal {through a

watchdog}, for example in the form of interruption (col.18, lines 30-34); wiring connecting the mechanism to a processing block, so that the means of immunity, after having consulted the registers then select the power source used (col.9, lines 32-41; col.34, lines 22-28).

Re claim 43: Yap et al. teaches a system, wherein the means of immunity comprise a wired mechanism provided in a chip guaranteeing that the selected source supplies the chip with electricity (col.9, lines 32-41).

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kawagishi et al. (U.S. 6,411,200) discloses card reader/writer and communication method of card reader writer.

Yoshimoto et al. (US 2002/0104890) teaches IC card.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDWYN LABAZE whose telephone number is (571) 272-2395. The examiner can normally be reached on 7:30 AM - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Application/Control Number:  
10/583,260  
Art Unit: 2876

Page 6

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



el  
Edwyn Labaze  
Patent Examiner  
Art Unit 2876  
November 12, 2007